IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 9493 of 2005**

Between:

1 Gollapalli Satyavathi, W/o. Rama Rao,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
2 Sada Gangamma W/o. Chinkama Raju,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
3 Gollapalli Voodalamma, W/o. Ramudu,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
4 Sade Lakshmi, W/o. Nageswara Rao,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
5 Nakka Pushpa, W/o. Babu Rao,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
6 Sade Veeramma, W/o. Moola Swamy,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
7 Busi Mangayamma, W/o. Bhaskara Rao,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
8 Gollapalli Atchamma, W/o. Polayya,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
9 Thorati Padma, W/o. Subba Raju,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
10 KothapalliSatyavathi, W/o. Satyanarayana,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
11 Gondrothu Jayashree, W/o. Rambabu,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.
12 Annamdevula Satyavathi, W/o. Arjuna Rao,

R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

13 Annamdevula Ananthalakshmi, W/o. V.Murthy,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

14 Gubballa sita Kumari, W/o. Srinivas,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

15 Gollapalli Suryakantham, W/o. Prabhakara Rao,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

16 Annamdevula Govindu, W/o. Late Muniyya,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

17 Ankam Vijayalakshmi, W/o. Sathipandu,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

18 Puvvulla Ratnam, W/o. Rambabu,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

19 Puvvulla Ratnam, W/o. Rambabu,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

20 Mallu Verayyamma, W/o. Kotaiah,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

21 Gollapalli Suramma, W/o. Surya Rao,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

22 Vaddi Mariamma, W/o. chandra Rao,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

23 Jyothula Radha, W/o. Sanjeeva Sarma,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

24 Bandaru Chittemma, W/o. satyanarayana ,
R/o. Madhavarayudu Palem , Kadiam Mandal,
E.G.District.

**.....** PETITIONERS

AND

1 The Joint Collector,
East Godavari Kakinada.

2 The Revenue Divisional Officer,
Rajahmundry, East Godavari District.

3 The Mandal Revenue Officer,
Kadiam, E.G.District.

**.....**RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ , order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in not passing orders in stay petition in the appeal filed by the petitioners herein against the proceedings of the 2nd respondent bearing Ref.A/2601/1999, dt...02.2005 as illegal, arbitrary and unjust and consequently direct the respondents to drop all further proceedings against the petitioners in this regard and to pass

Counsel for the Petitioners: MR.N.SIVA REDDY

Counsel for the Respondents: GP FOR REVENUE

**The Court at the stage of admission made the following :**

**THE HON'BLE MS. JUSTICE G.ROHINI**

WRIT PETITION NO.9493 OF 2005

**O R D E R:**

This writ petition is filed questioning the order dated 25-02-2005 passed by the second respondent in cancelling the house site pattas granted in favour of the petitioners.

It is not in dispute that against the impugned order an alternative remedy is available by way of appeal before the Joint Collector and that as a matter of fact the petitioners have preferred such an appeal

along with an application seeking stay of the impugned order.

The grievance of the petitioners is that the first respondent who is the appellate authority has not passed any order on the application for stay and merely kept the appeal pending, and that in the meanwhile, the respondents are taking steps to implement the impugned order to dispossess the petitioners from the land-in-question wherein the petitioners have erected houses.

Since the statutory appeal is pending before the first respondent, I deem it appropriate to protect the possession of the petitioners till the disposal of the said appeal.

In view of the facts and circumstances of the case, without expressing any opinion on merits, the writ petition is disposed of with a direction to the first respondent to dispose of the appeal pending on his file as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order. Till such time, the impugned order dated 25-02-2005 shall not be given effect to. No costs.

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(G.ROHINI, J)

Date: 26-04-2005

ghn

To

1 The Joint Collector,
East Godavari Kakinada.
2 The Revenue Divisional Officer,
Rajahmundry, East Godavari District.
3 The Mandal Revenue Officer,

Kadiam, E.G.District.

4 Two C.Cs to the Government Pleader for Revenue, High Court Buildings,

A.P., Hyderabad (OUT)

5 Two CD copies